

REMARKS

Claims 8-16 are pending in the application. Claims 14 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, specifically, the meaning of the term “collinear” is unclear. Claims 8-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 4,813,324 to Yoshida et al. in view of U.S. Pat. No. 5,018,421 to Lucki et al., or alternatively in view of U.S. Pat. No. 154,104 to Vosburgh. Claims 8-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 4,179,967 to Clark.

Claim 15 has been amended to incorporate the limitations of claim 14 and correct for the objection and rejection made by the Examiner. Specifically, the term “collinear” at the end of claim 14 has been eliminated and replaced with --a straight imaginary line which is drawn by connecting tip ends of all the first to the fourth set teeth--. All other pending claims have been cancelled. The new limitations of claim 15 is supported by figures 3B, 4B, 5B and 6B and shown as one-dotted lines.

The Examiner’s previous rejection of claim 15 is respectfully traversed. Claim 15 has been amended to clarify that the tips of the teeth are in the same plane, i.e. that their heights are equal. The claim further requires that the pitches of the teeth be different from one another and the lengths of the bending line be substantially the same. None of the references show these combination of elements.

The Clark reference discloses that the size of the teeth are different due to the varying depth of the gullets (column 2, lines 11-14). The largest tooth is tooth 12 with each successive tooth getting smaller (column 2, lines 21- column 3, line 2). Additionally, figure 4 shows the gullet depths 20 being different for each tooth. Since the tooth size and gullet depth for each tooth is different, the length of the bending line for each tooth is different. Therefore, the Clark reference fails to show or suggest that the length of the bending lines for each tooth is "substantially the same." Furthermore, there is not teaching or suggestion in the Clark reference to modify it to meet the limitations of claim 15. To do so, would so alter the structure of the bandsaw, making its modification a product of hindsight reasoning. It is respectfully requested that the Examiner's rejection be withdrawn.

The Yoshida et al. reference discloses a bandsaw blade having teeth whose tips are of unequal height (column 7, lines 21-24; column 11, lines 9-11), and as the Examiner has indicated, whose teeth have equal pitches. It also appears from the figures of Yoshida et al., that the teeth of the saw are different sizes and have different size bending line lengths. The Yoshida et al. references therefore fails to meet the limitations of claim 15. Furthermore, there is no teaching or suggestion in the Yoshida et al. reference, or in the two secondary references of Lucki et al. and Vosburgh, to combine Yoshida et al. with either of the secondary references to produce the claimed invention.

In view of the foregoing amendment, reconsideration of the application and allowance of claim 15 is respectfully requested.

In the event that there are any questions relating to this Response and Preliminary

Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME COMISKY & McCUALEY LLP, Deposit Account No. 23-2185 (000004-00634). In the event that a petition for an extension of time is required in either the present application or the parent application to render this Amendment timely, the Applicant herewith petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

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15. (Amended) [The] A band saw blade, [of claim 14] comprising:

at least a first left set tooth which is bent along a first bending line extending in a moving direction of the band saw blade to cut a workpiece;

at least a second right set tooth which is bent along a second bending line extending in the moving direction;

at least a third left set tooth which is bent along a third bending line extending in the moving direction; and

at least a fourth right set tooth which is bent along a fourth bending line extending in the moving direction;

wherein the band saw blade is formed with a sequence of the first left set tooth, the second right set tooth, the third left set tooth and the fourth right set tooth;

wherein pitches in the moving direction among the first left set tooth, the second right set tooth, the third left set tooth and the fourth right set tooth are different from one another;

wherein respective lengths of the first bending line, the second bending line, the third bending line and the fourth bending line are substantially the same;

wherein a straight imaginary line which is drawn by connecting tip ends of all the first to the fourth set teeth is parallel to the moving direction;

wherein said first bending line, said second bending line, said third bending line and said fourth bending line are collinear with a single baseline, and wherein bottoms of gullets between the teeth are disposed below the single baseline.